



# **AGENDAMINUTES OF THE COMMON COUNCIL**

**MONDAY, FEBRUARY 17, 2014, 7:00 P.M.**

**COUNCIL CHAMBERS  
ROOM 203, CITY HALL**

- Roll call: Mayor James J. Schmitt, City Clerk Kris A. Teske, City Attorney Tony Wachewicz. Alderpersons: J. Wiezbiskie, Thomas DeWane, A. Nicholson, Tim DeWane, A. Kocha, J. Moore, D. Boyce, J. Warner, M. Steuer, B. Danzinger, T. Sladek. Excused: J. Brunette..
- Pledge of Allegiance.
- Mayor Schmitt led the invocation.
- Moved by Ald. Thomas DeWane, seconded by Ald. Warner to Approve the minutes of the February 4, 2014, meeting. Motion carried.
- Moved by Ald. Thomas DeWane, seconded by Ald. Steuer to Approve of the Agenda. Motion carried.

**REPORT BY THE MAYOR**

- Mayor Schmitt announced that March 7 is Colon Cancer Day and asked that everyone wear blue.  
The State of the City address will be on March 19 at the Meyer Theatre..

- Announcements.

## **REFERRAL OF PETITIONS & COMMUNICATIONS**

### **IMPROVEMENT & SERVICE COMMITTEE**

Applications for Concrete Sidewalk Builder's Licenses by the following:

- A. Delrar, Inc.
- B. Holtger Bros, Inc.
- C. Larry VanRite Trucking & Excavating, Inc.

Application for a Tree & Brush Trimmer License by S & D Tree Services, LLC.

### **PROTECTION & WELFARE COMMITTEE**

Request by St. Brendan's Inn, 234 S. Washington Street, to hold outdoor events March 16 and 17, 2014.

Application for a "Class A" Liquor License by Nicson, Inc. at 2260 Nicolet Drive.  
(Currently has beer only.)

Application for a "Class A" Liquor License by C & D Shell, LLC at 1121 Radisson Street.  
(Currently has beer only.)

Request by Ald. Thomas DeWane to discuss, with possible action, the Lobbyist Registration Ordinance, Section 6.38.

Request by Ald. Wiezbiskie to develop an ordinance similar to the City of Wausau with regards to the use of cell phones and other handheld electronic devices while driving.

### **TRAFFIC COMMISSION**

Request by Ald. Tim DeWane for a "stop" sign on Roosevelt Street at Eliza Street.

## TRANSIT COMMISSION

Request by Ald. Tim DeWane for 24-hour bus service.

Moved by Ald. Moore, seconded by Ald. Thomas DeWane to refer the petitions and communication to the appropriate Committee or Commission. Motion carried.

1. Referral of communications and petitions received by the City Clerk.

Late communications.

## PRESENTATION

Daniel Grove, Associate Principal for Lakota Group, gave a PowerPoint presentation on the Pprogress Report of the Draft Downtown Master Plan.

## REPORTS FOR COUNCIL ACTION

### REPORT OF THE GREEN BAY PLAN COMMISSION February 17, 2014

The Green Bay Plan Commission, having met on Monday, February 10, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request for a Conditional Use Permit (CUP) to authorize the installation of a solar photovoltaic system in the 3500 Block of Church Road subject to compliance with Chapter 13-1611 (a),(b),(e), and (f) Development Standards – Solar Energy Systems and the combination of the subject parcel to the northern parcel containing the convent.
2. Report of the Plan Commission.Moved by Ald. Wiezbiskie, seconded by Ald. Sladek to adopt the report. Motion carried.

### REPORT OF THE GREEN BAY REDEVELOPMENT AUTHORITY February 17, 2014

The Green Bay Redevelopment Authority, having met on Tuesday, February 11, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request to amend the Development Agreement with Dermond Property Investments LLC to change the number of units from 93 to 107 and the

TIF amount from \$2.484 million to \$2.9 million for the apartment project located at the northwest corner of Washington and Walnut Streets.

3. Report of the Redevelopment Authority.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the report. Motion carried.

### **REPORT OF THE GREEN BAY REDEVELOPMENT AUTHORITY February 17, 2014**

The Green Bay Redevelopment Authority, having met on Monday, February 17, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the development agreement with Frantz Community Investors for the Hotel Northland property at 304 N. Adams Street.
4. Report of the Special Meeting of the Redevelopment Authority held February 17, 2014, pertaining to the Hotel Northland Development Agreement with Frantz Community Investors.

Moved by Ald. Thomas DeWane, seconded by Ald. Moore to adopt the report. Motion carried.

### **REPORT OF THE TRAFFIC COMMISSION February 17, 2014**

The Traffic Commission having met Monday, February 10, 2014, considered all matters on its agenda and wishes to report and recommends the following:

1. To remove the NO PARKING 8 AM TO 4 PM SCHOOL DAYS zone on the west side of Sussex Road from Fagerville Way to Baywatch Drive and adopt by ordinance.
2. To establish a NO STOPPING OR STANDING 8 AM TO 4 PM SCHOOL DAYS zone on the east side of Sussex Road from Fagerville Way to Baywatch Drive and adopt by ordinance.

3. To remove the NO STOPPING OR STANDING zone on the south side of Pine Street from Washington Street to its west terminus and adopt by ordinance.
  4. To establish a NO STOPPING OR STANDING zone on both sides of Pine Street from Washington Street to its west terminus and adopt by ordinance.
  5. To establish a 1-WAY STOP condition on Tony Canadeo Run at Bart Starr Drive and adopt by ordinance.
  6. To remove the NO PARKING 7 AM TO 4 PM SCHOOL DAYS zone on the south side of West Point Road from a point 140 feet east of Dancing Dunes Drive to a point 140 west of Dancing Dunes Drive and adopt by ordinance.
  7. To establish a NO PARKING 7 AM TO 4 PM SCHOOL DAYS zone on the south side of West Point Road from a point 140 feet west of Dancing Dunes Drive to a point 110 east of Dancing Dunes Drive and adopt by ordinance.
  8. To remove the NO PARKING zone on the south side of West Point Road from South Point Road to a point 350 feet west of Crestwood Drive and adopt by ordinance.
  9. To establish a NO PARKING zone on the south side of West Point Road from a point 110 east of Dancing Dunes Drive to South Point Road and adopt by ordinance.
5. Report of the Traffic Commission.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report. Motion carried.

6. Report of the Finance Committee.

## **REPORT OF THE FINANCE COMMITTEE**

### **February 17, 2014**

The Finance Committee, having met on Tuesday, February 11, 2014 considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the amendment of minutes from January 11, 2014 item no. 6 section B for the transfer of the squad cars of \$270,000 from the general fund 2013 contingency into 423 Fund.

2. To award CDW-G for the installation of an upgrade to the Cisco Phone System for the amount of \$13,500.
3. To award a three year contract, with two 1-year renewal options, for firefighter physicals to Bellin Health for the amount of \$125,079.
5. To receive and place on file the report of the Finance Director.

2014 Contingency Fund  
\$110,000

Moved by Ald. Thomas DeWane, seconded by Ald. Warner to adopt the report. Motion carried.

**REPORT OF THE  
IMPROVEMENT AND SERVICE COMMITTEE  
February 17, 2014**

The Improvement and Service Committee, having met on February 12, 2014 considered all matters on its agenda and wishes to report and recommend the following:

1. To refer to Department of Public Works staff for further investigation the request by Ald. Brunette for pedestrian and handicap accessibility around the Meyer Theater.
2. To approve the 2014 Special Assessment factors and Rates.
3. To approve the 2014 interest rate for unpaid special assessments.
4. To approve the report of the Purchasing Manager:
  - A. To award the purchase of traffic signals and poles to TAPCO for \$52,153.
  - B. To approve the purchase of two Flygt submersible pumps and accessories for the Moraine Terrace pump station from Xylem Water Solutions USA, Inc. for \$14,217.
5. To approve the following Permanent Limited Easements (PLEs) and Temporary Limited Easements (TLEs):

MONROE AVENUE – CASS STREET TO MAIN STREET PROJECT ID. # 1481-07-21

St Francis Xavier Congregation Parcel 57	\$21,150.00	PLE & TLE
---	-------------	-----------

Gary D Wisneski Parcel 61	\$975.00	TLE
------------------------------	----------	-----

6. To approve the applications for Tree & Brush Trimmer Licenses by the following:
  - A. Holtger Bros., Inc.
  - B. Wright Tree Service, Inc.
7. To approve the applications for Concrete Sidewalk Builder's Licenses by the following:
  - A. Martell Construction, Inc.
  - B. Fischer Ulman Construction, Inc.
  - C. Fisher Concrete Sawing, Inc.
8. To approve the request by Jeff Tomcheck to rescind snow and/or ice removal charge of \$90.00 for property located at 1176 E. Walnut Street.
9. To receive and place on file the verbal Director's Report on the recent activities of the Public Works Department.
7. Report of the Improvement & Service Committee.

Moved by Ald. Wiezbiskie, seconded by Ald. Kocha to adopt the report. Motion carried.

**REPORT OF THE PARK COMMITTEE  
February 17, 2014**

The Park Committee, having met on Wednesday, February 12, 2014, considered all matters on its agenda and wishes to report and recommend the following:

1. To approve the request by Young Life Green Bay to hold a 5K Glow Run downtown and an after-party from 8:30-10 p.m. on the City Deck on June 21, 2014, contingent upon:
  - Final special event approval
  - All proper permits and insurances being obtained
  - No hard liquor allowed on the deck
  - Beer and wine allowed in designated area between 8:30-10 p.m.
  - Must adhere to all noise ordinances and regulations – music will be allowed from 8-10 p.m.
  - Must allow public access to the deck area

- Glass containers prohibited
- 2. To approve the requested 2014 Bay Beach projects and to move \$900,000 from the Bay Beach 214 Operations Fund to the Bay Beach 436 Capital Improvements Development Fund.
- 3. To amend the Alcohol in the Park Policies & Procedures to allow the consumption of fermented malt beverages and wine with a building room/facility reservation at the Wildlife Sanctuary by persons attending such event.
- 4. A. To award the purchase and installation of a new sign for the entrance to the Zippin Pippin Roller Coaster to Reinhold Sign Service, Inc. for \$29,750.  
B. To award the purchase of specialty light poles and luminaires for the Sea Dragon ride to Viking Electric for \$15,414.  
C. To approve the purchase of a 2011 John Deere SJ310 Tractor/Backhoe Loader from Brooks Tractor Inc. for \$58,100.
- 5. To receive and place on file the Director's Report.
- 8. Report of the Park Committee.

Moved by Ald. Wiezbiskie, seconded by Ald. Thomas DeWane to adopt the report.  
Motion carried.

### **REPORT OF THE PERSONNEL COMMITTEE February 17, 2014**

The Personnel Committee, having met on Tuesday, February 11, 2014 considered all matters on its agenda and reports and recommends the following:

1. To approve the request to fill the Human Resources Assistant position and all subsequent vacancies resulting from internal transfers.
2. To approve the 2014 Staffing Report from the Police Chief and recommendations as follows:
  1. To approve the request to fill Police Officer vacancies approved as part of the 2014 budget and to provide informational reports to the Personnel Committee when the department is engaged in the hiring process to fill vacancies.
  2. To receive and place on file the request to fill 5 current police officer vacancies.
3. To hold the request by Ald. Kocha regarding the issue of revising the overtime payment policy, as it relates to the current requirement for employees to actually

work 40-hours per week before overtime is paid and ask staff to provide information on overtime in a percentage format as discussed.

4. To proceed with labor negotiations as discussed in closed session.
5. To receive and place on file the report of routine Personnel Actions for regular employees.
9. Report of the Personnel Committee.

Moved by Ald. Thomas DeWane, seconded by Ald. Boyce to adopt the report with the exception of Item #2.2. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Wiezbiskie to adopt Item #2.2. Motion carried.

## **PROTECTION & WELFARE COMMITTEE REPORT**

### **February 17, 2014**

The Protection & Welfare Committee, having met on Monday, February 10, 2014, considered all matters on the agenda and wishes to report and recommend the following:

1. To approve the notice of the change of agent for Walgreens Co. at 1401 E. Mason Street.
2. To approve the notice of the change of agent for Noodles & Company at 2450 E. Mason Street.
3. To deny the application to keep three dogs at 1097 St. Paul Street.
4. To postpone until the next meeting the application to keep three dogs at 1861 East Shore Drive. (Ald. Brunette voting no.)
5. To approve the application to keep four dogs at 1123 Porlier Street.
6. To refer to staff to recommend additions to Chapter 15 of the Zoning Code to allow for restoration of properties designated in historical districts to use building standards as set when the building was originally constructed.
7. To approve the draft sex offender social media policy, with the addition of language outlining the six-month trial period.

With regard to Item #4, the Council may convene in closed session pursuant to Section 19.85(1)(e), Wis. Stats., for purposes of deliberating or negotiating public employee contracts for competitive or bargaining reasons. The Council may thereafter reconvene

in open session pursuant to Section 19.85(2), Wis. Stats., to report the results of the closed session and consider the balance of the agenda.

10. Report of the Protection & Welfare Committee. Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt the report with the exception of Item #6. Motion carried.

Moved by Ald. Wiezbiskie, seconded by Ald. Tim DeWane to adopt Item #6. Motion carried.

Operator's Licenses?

### **RECEIVE & PLACE ON FILE**

Green Bay Check Register for January, 2014.

Building Permit Report for January, 2014.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to receive the matters and place them on file. Motion carried.

### **RESOLUTIONS**

Moved by Ald. Wiezbiskie, seconded by Ald. Boyce to suspend the rules for the purpose of adopting all of the resolutions, with the exception of Items #13 and #14, with one roll call vote. Motion carried.

### **FINAL PAYMENTS RESOLUTION FEBRUARY 17, 2014**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the City Clerk be and is hereby instructed to draw FINAL ORDERS in favor of the following contractors for their projects in the amounts listed as follows:

**1. PAVEMENT 1-13**

**Peters Concrete Company**

TOTAL AMOUNT EARNED:	\$ 331,279.43
LESS AMOUNT RETAINED:	\$ <u>0.00</u>
	\$ 331,279.43
LESS AMOUNT PREVIOUSLY PAID:	\$ <u>310,188.49</u>
AMOUNT DUE THIS ESTIMATE:	\$ 21,090.94

ACCOUNT NUMBERS

**401-50-500-501-55305-000000-000-61063: \$21,090.94**

**PO #105367**

Adopted February 17, 2013

Approved February 18, 2013

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

11. Resolution drawing final orders.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**RESOLUTION APPROVING PERMANENT  
LIMITED EASEMENTS (PLEs) AND  
TEMPORARY LIMITED EASEMENTS (TLEs)  
FOR MONROE AVENUE  
FROM CASS STREET TO MAIN STREET  
February 17, 2014**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

To approve the following Permanent Limited Easements (PLEs) and Temporary Limited Easements (TLEs):

MONROE AVENUE – CASS STREET TO MAIN STREET PROJECT ID. # 1481-07-21

St Francis Xavier Congregation Parcel 57	\$21,150.00	PLE & TLE
Gary D Wisneski Parcel 61	\$975.00	TLE

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

12. Resolution approving permanent limited easements (PLEs) and temporary limited easements (TLEs) for Monroe Avenue from Cass Street to Main Street.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to suspend the rules for the purpose of adopting the development agreements with one roll call vote. Motion carried.

RESOLUTION APPROVING THE  
DEVELOPMENT AGREEMENT WITH  
DERMOND PROPERTY ACQUISITION, LLC,  
FOR PARCEL NUMBER 12-29, LOCATED  
AT THE NORTHWEST CORNER OF  
WASHINGTON STREET AND WALNUT STREET

February 17, 2014

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

WHEREAS, the Common Council has created TIF District No. 5 and adopted a project plan for the district; and

WHEREAS, the Dermond project is located within the TIF District No. 5 and complies with the project plan for TIF No. 5 previously adopted by the Redevelopment Authority and Common Council; and

WHEREAS, the Redevelopment Authority has approved the development agreement for the Dermond project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk and authorized representatives of the Redevelopment Authority are authorized to execute the Development Agreement subject to technical legal adjustments to the agreement as may be deemed necessary by the parties' counsel; and

BE IT FURTHER RESOLVED that the Redevelopment Authority is authorized to take all actions necessary to carry out obligations of the Development Agreement.

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

13. Resolution approving an Amendment to the Development Agreement with Dermond Property Acquisition, LLC, for Parcel Number 12-29, located at the northwest corner of Washington Street and Walnut Street.

Moved by Ald. Boyce, seconded by Ald. Steuer to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

RESOLUTION APPROVING THE  
DEVELOPMENT AGREEMENT WITH  
FRANZ COMMUNITY INVESTORS  
FOR PARCEL NUMBER 12-78, LOCATED  
AT 304 NORTH ADAMS STREET

February 17, 2014

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

WHEREAS, the Common Council has created TIF District No. 13 and adopted a project plan for the district; and

WHEREAS, the Northland Hotel project is located within TIF District No. 13 and complies with the project plan for TIF District No. 13 previously adopted by the Redevelopment Authority and Common Council; and

WHEREAS, the Redevelopment Authority has approved the development agreement with Franz Community Investors for the Northland Hotel project.

NOW, THEREFORE, BE IT RESOLVED that the Mayor and Clerk and authorized representatives of the Redevelopment Authority are authorized to execute the Development Agreement subject to technical legal adjustments to the agreement as may be deemed necessary by the parties' counsel; and

BE IT FURTHER RESOLVED that the Redevelopment Authority is authorized to take all actions necessary to carry out obligations of the Development Agreement.

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

14. Resolution approving the Hotel Northland Development Agreement with Frantz Community Investors for Parcel Number 12-78, located at 304 North Adams Street.

Moved by Ald. Boyce, seconded by Ald. Steuer to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

RESOLUTION AUTHORIZING CONDITIONAL-USE  
APPROVAL IN THE 3500 BLOCK OF CHURCH ROAD  
(ZP 14-01)

February 17, 2014

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That, pursuant to Zoning Petition 14-01 and the recommendation of the Plan Commission on February 10, 2014, the City of Green Bay does authorize a conditional-use permit to allow for the installation of a solar photovoltaic system located on the following described property in the 3500 block of Church Road:

ALL THAT PRT OF GOV'T LOT 1 SEC 14 T24N  
R21E AS DESC IN 818 R 256 EX 6 CSM 485 (Tax Parcel  
No. 22-130)

Said conditional-use permit shall be granted subject to the following conditions:

a. Compliance with Sections 13-1611 (a), (b), (e), and (f),  
Development Standards – Solar Energy Systems, Green Bay  
Municipal Code.

b. The subject parcel (Tax Parcel No. 22-130) be attached  
to the northern parcel containing the convent (Tax Parcel No. 22-  
129-1).

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

Kris A. Teske  
Clerk

15. Resolution authorizing conditional-use approval in the 3500 block of Church Road.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the resolution.  
*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**PRELIMINARY RESOLUTION DECLARING INTENT  
TO EXERCISE SPECIAL ASSESSMENT POWERS  
UNDER SECTION 66.0703, WISCONSIN STATUTES  
February 17, 2014**

## **CONCRETE PAVEMENT**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

1. The Common Council hereby declares its intention to exercise its police powers under Section 66.0703, Wisconsin Statutes, and levy special assessments upon property fronting or abutting the streets hereinafter enumerated for the installation of CONCRETE PAVEMENT on said street:

MONROE AVENUE – Cass Street to Main Street

2. Said public improvement shall include the grading of these streets to the grade established therefore by City ordinance as recorded in the Office of the City Clerk, placing concrete pavement on said streets, with integral curb on both sides in accordance with the City of Green Bay Standard Specifications and Construction Standards for Public Works Construction.
3. The total amount assessed against all parcels in the project shall not exceed the total cost of the improvement.
4. The assessments against any parcel may be paid in cash within thirty (30) days of the date of billing or in five (5) annual installments with interest thereon at five and one-quarter percent (5.25%) per annum.
5. The improvements contemplated in this resolution shall constitute an exercise of the police powers of the Common Council under Section 66.0703(5)(d), Wisconsin Statutes.
6. The Director of Public Works is directed to prepare a report in accordance with Section 66.0703(5), Wisconsin Statutes.
7. Upon receiving the report, the City Clerk shall give to the property owners notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes, to be held before the Improvement & Service Committee in the City Hall at such times as set by the City Clerk.

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

16. Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes – Concrete Pavement.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**PRELIMINARY RESOLUTION DECLARING INTENT  
TO EXERCISE SPECIAL ASSESSMENT POWERS  
UNDER SECTION 66.0703, WISCONSIN STATUTES  
February 17, 2014**

**ASPHALT PAVEMENT**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

1. The Common Council hereby declares its intention to exercise its police powers under Section 66.0703, Wisconsin Statutes, and levy special assessments upon property fronting or abutting the streets hereinafter enumerated for the installation of ASPHALT PAVEMENT on said streets:

**ATKINSON DRIVE – Hurlbut Street to 1180' north  
S. MAPLE AVENUE – Walnut Street to Howard Street  
MARSHALL AVENUE – Mather Street to Desnoyers Street  
S. OAKLAND AVENUE – Shawano Avenue to Howard Street**

2. Said public improvement shall include the grading of these streets to the grade established therefore by City ordinance as recorded in the Office of the City Clerk, installation of gravel base and ASPHALT pavement with curb and gutter on both sides of the street in accordance with the City of Green Bay Standard Specifications and Construction Standards for Public Works Construction.
3. The total amount assessed against all parcels in the project shall not exceed the total cost of the improvement.
4. The assessments against any parcel may be paid in cash within thirty (30) days of the date of billing, or in five (5) annual installments with interest thereon at five and one-quarter percent (5.25%) per annum.
5. The improvements contemplated in this resolution shall constitute an exercise of the police powers of the Common Council under Section 66.0703(5)(d), Wisconsin Statutes.

6. The Director of Public Works is directed to prepare a report in accordance with Section 66.0703(5), Wisconsin Statutes.
7. Upon receiving the report, the City Clerk shall give to the property owners notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes, to be held before the Improvement & Service Committee in the City Hall at such times as set by the City Clerk.

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

17. Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes –Asphalt Pavement.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the resolution.  
*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**PRELIMINARY RESOLUTION DECLARING INTENT  
TO EXERCISE SPECIAL ASSESSMENT POWERS  
UNDER SECTION 66.0703, WISCONSIN STATUTES  
FEBRUARY 17, 2014**

**ASPHALT RESURFACING**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

1. The Common Council hereby declares its intention to exercise its police powers under Section 66.0703, Wisconsin Statutes, and levy special assessments upon property fronting or abutting the streets hereinafter enumerated for the installation of ASPHALT RESURFACING on said streets:

**ALLEN AVENUE - Deckner Avenue to south end**  
**BAUMGART ROAD - 645' N of Ramada Lane to West Point Road**  
**BRETCHIE DRIVE - Maryland Avenue to Hillside Lane**  
**BROCOIN WAY - 155' N of Vestco Court to Ramada Lane**  
**CARRIE LANE - Western Avenue to Rowe Lane**  
**CONSERVANCY COURT E - Golf Drive to 140' north**  
**CONSERVANCY COURT W - Golf Drive to 215' north**  
**EAST SHORE CIRCLE - East Shore Drive to cul-de-sac west**  
**EILEEN STREET - Hampton Avenue to Edgewood Drive**  
**FORESTVILLE DRIVE - Packerland Drive to He-Nis-Ra Lane**  
**GOLF DRIVE - Erie Road to E. Conservancy Court**  
**KATERS DRIVE - Langlade Avenue to Biemeret Street**  
**LACOUNT ROAD - W Mason Street to West Point Road**  
**LESLIE DRIVE - Allen Avenue to east end**  
**RAMADA LANE - Baumgart Road to Brocoin Way**  
**ROWE LANE - Pine Terrace to Taylor Street**  
**SANDY LANE - Wesley Avenue to 450' east**  
**SCOTT DRIVE - Western Avenue to Rowe Lane**  
**SHEPHERDS PATH - Summer Place to Sandia Drive**  
**SHERIDAN DRIVE - Leslie Drive to 310' south**  
**SUMMER PLACE - LaCount Road to Shepherds Path**  
**VESTCO COURT - Brocoin Way to 155' west**  
**WALNUT STREET E - Baird Street to 680' east**

2. Said public improvement shall include placing of a hot mix ASPHALT surface over the existing street in accordance with the City of Green Bay Standard Specifications and Construction Standards for Public Works Construction.
3. The total amount assessed against all parcels in the project shall not exceed the total cost of the improvement.
4. The assessments against any parcel may be paid in cash within thirty (30) days of the date of billing, or in five (5) annual installments with interest thereon at five and one-quarter percent (5.25%) per annum.
5. The improvements contemplated in this resolution shall constitute an exercise of the police powers of the Common Council under Section 66.0703(5)(d), Wisconsin Statutes.
6. The Director of Public Works is directed to prepare a report in accordance with Section 66.0703(5), Wisconsin Statutes.
7. Upon receiving the report, the City Clerk shall give to the property owners notice of a public hearing on such report as specified in Section 66.0703(7)(a), Wisconsin Statutes, to be held before the Improvement & Service Committee in the City Hall at such times as set by the City Clerk.

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

18. Preliminary Resolution declaring intent to exercise special assessment powers under Section 66.0703, Wisconsin Statutes – Asphalt Resurfacing.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**RESOLUTION ACCEPTING STREETS FOR CONCRETE PAVEMENT,  
ASPHALT PAVEMENT OR ASPHALT RESURFACING  
February 17, 2014**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the Director of Public Works has reported on and recommends the acceptance of the following streets for concrete pavement, asphalt pavement or asphalt resurfacing.

**PAVEMENT 3-13**

**BART STARR DRIVE – Tony Canadeo Run to Potts Avenue  
PINE STREET – Washington Street to west end (no assessments)**

NOW, THEREFORE, BE IT RESOLVED, that the above streets be and are hereby accepted and that the City Clerk be and is hereby instructed to issue statements against the abutting property in accordance with the final resolutions and the final assessments on file.

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

19. Resolution accepting streets.

Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the resolution.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

**RESOLUTION ACCEPTING STREETS FOR  
SANITARY SEWERS AND STORM SEWERS  
February 17, 2014**

BY THE COMMON COUNCIL OF THE CITY OF GREEN BAY, RESOLVED:

That the Director of Public Works has reported on and recommends the acceptance of the following streets for sanitary sewer and laterals and/or storm sewer and laterals:

**PAVEMENT 3-13**

**BART STARR DRIVE – Tony Canadeo Run to Potts Avenue**

NOW, THEREFORE, BE IT RESOLVED, that the above streets be and are hereby accepted and that the City Clerk be and is hereby instructed to issue statements against the abutting property in accordance with the final resolutions and the final assessments on file.

Adopted February 17, 2014

Approved February 18, 2014

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
City Clerk

20. Resolution accepting streets for sanitary sewers and storm sewers. Moved by Ald. Thomas DeWane, seconded by Ald. Kocha to adopt the resolution.  
*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

## **ORDINANCE - FIRST READING**

GENERAL ORDINANCE NO. 5-14

### **AN ORDINANCE AMENDING SECTION 29.208, GREEN BAY MUNICIPAL CODE, RELATING TO PARKING REGULATIONS**

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS FOLLOWS:

**SECTION 1.** Section 29.208, Green Bay Municipal Code, is hereby amended by adding thereto the following NO PARKING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

DECKNER AVENUE, south side, from Danz Avenue to a point 180 feet west of Rose Lane

**SECTION 2.** Section 29.208, Green Bay Municipal Code is hereby amended by adding thereto the following TWO-HOUR PARKING 7 AM - 7 PM MONDAY - FRIDAY zones:

ROOSEVELT STREET, west side, from a point 220 feet south of Mason Street to Eliza Street

ROOSEVELT STREET, west side, from Emilie Street to Grignon Street

ELIZABETH STREET, east side, from a point 65 feet north of Cedar Street to Elm Street

**SECTION 3.** Section 29.208, Green Bay Municipal Code is hereby amended by adding thereto the following NO PARKING zones:

ELIZABETH STREET, east side, from Morrow Street to a point 150 feet north of Morrow Street

REGGIE WHITE WAY, east side, from a point 150 feet south of Lombardi Avenue to Lombardi Avenue

**SECTION 4.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO STANDING OR STOPPING 7:00 AM – 4:00 PM SCHOOL DAYS zone:

DECKNER AVENUE, south side, from Danz Avenue to a point 180 feet west of Rose Lane

**SECTION 5.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following TWO-HOUR PARKING 7:00 AM – 7:00 PM MONDAY - FRIDAY zones:

ROOSEVELT STREET, west side, from a point 220 feet south of Mason Street to Grignon Street

ELIZABETH STREET, east side, from Morrow Street to Elm Street

**SECTION 6.** Section 29.208, Green Bay Municipal Code, is hereby amended by removing therefrom the following NO PARKING ON SATURDAYS AND SUNDAYS zone:

VICTORIA STREET, east side, from Crooks Street to Main Street

**SECTION 7.** All ordinances, or parts of ordinances, in conflict herewith are hereby repealed.

**SECTION 8.** This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this \_\_\_\_\_ day of \_\_\_\_\_, 2014.

APPROVED:

---

Mayor

ATTEST:

---

Clerk

21. General Ordinance No. 5-14

An ordinance amending Section 29.208 of the Code relating to parking regulations. Moved by Ald. Kocha, seconded by Ald. Tim DeWane to suspend the rules for the purpose of advancing the ordinance to the third reading. Motion carried. Moved by Ald. Moore, seconded by Ald. Warner to advance the ordinance to the third reading. Motion carried.

**ORDINANCE - THIRD READING**

GENERAL ORDINANCE NO. 3-14

AN ORDINANCE  
AMENDING SECTION 27.603(2),  
GREEN BAY MUNICIPAL CODE,  
RELATING TO BOWS AND CROSSBOWS

THE COMMON COUNCIL OF THE CITY OF GREEN BAY DOES ORDAIN AS  
FOLLOWS:

**SECTION 1.** Section 27.603(2), Green Bay Municipal Code, is hereby amended  
to read:

(2) BOW AND CROSSBOW

(a) Use and Discharge Prohibited. No person shall use or discharge an arrow from a bow or a bolt from a crossbow in the City.

(b) Exceptions. A bow and arrow or crossbow may be used under the following conditions:

1. As part of a supervised activity sponsored by a public or private institution of learning duly licensed by the State of Wisconsin.

2. At a licensed sportsmen's club, gallery, or range.

3. In conformity with the conditions of subsection ~~(1)(b)3~~, (1)(b)4, or (1)(b)5.

4. While hunting at least 100 yards from a building located on another person's land and only if discharging the arrow or bolt toward the ground.

5. While hunting with the permission of any person who owns a building within 100 yards and only if discharging the arrow or bolt toward the ground.

**SECTION 2.** This ordinance shall take effect on and after its passage and publication.

Dated at Green Bay, Wisconsin this 17th day of February, 2014.

APPROVED:

James J. Schmitt  
Mayor

ATTEST:

Kris A. Teske  
Clerk

22. General Ordinance No. 3-14  
An ordinance amending Section 27.603(2) of the Code relating to bows and crossbows.

Moved by Ald. Moore, seconded by Ald. Steuer to adopt the ordinance.

*Roll call:* Ayes: Wiezbiskie, Thomas DeWane, Nicholson, Tim DeWane, Kocha, Moore, Boyce, Warner, Steuer, Danzinger, Sladek. Noes: None. Motion carried.

Moved by Ald. Kocha, seconded by Ald. Boyce to adjourn at 7:35 P.M. Motion carried.

Kris A. Teske  
Green Bay City Clerk

***Supporting documents for the numbered items in this agenda are contained in  
the  
Appendix of Supplemental Information.***

**ACCESSIBILITY:** Any person wishing to attend who, because of a disability, requires special accommodation should contact the City Safety Manager at 448-3125 at least 48 hours before the scheduled meeting time so that arrangements can be made.